

Notice of Allowability**Application No.**

10/520,046

Examiner

ANDRAE S. ALLISON

Applicant(s)

FUCHS, MANFRED

Art Unit

2624

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 08/06/2010.
2. ☒ The allowed claim(s) is/are 1-2, 4, 7-8, 11 and 13-23 now renumbered claims 1-18.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 08/06/2010
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/Anand Bhatnagar/
Primary Examiner, Art Unit 2624

08/24/10

DETAILED ACTION

Response to Remarks

1. The Office Action has been made issued in response to amendment filed August 6, 2010. Claims 1-2, 4, 7-8, 11 and 13-24 are pending.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Audrey J Babcook (Reg#: 57,702) on August 13, 2010.

The application has been amended as follows:

Replace claim 11 with the following:

11. (currently amended) An apparatus comprising:
a detector;
a processor adapted to receive data from the detector, ~~the processor capable of using the data to calculate [[a]] best fit dipole coordinates, modified dipole coordinates, a field distribution based on the best fit dipole coordinates, a modified field distribution based on the modified dipole coordinates, and a confidence interval based on the difference between the field distribution and the modified field distribution;~~

and using the processor to:

calculate best fit dipole coordinates for each dipole;

calculate a field distribution based on the best fit dipole coordinates;

modify the best fit dipole coordinates to create modified dipole coordinates;

calculate a modified field distribution based on the modified dipole coordinates;

compute a difference between the field distribution and the modified field distribution; and compute a confidence interval for each dipole based on the difference between the field distribution and the modified field distribution;

an imaging source in communication with the processor; and

a display in communication with the processor and adapted to display the confidence interval in three dimensions relative to a three-dimensional anatomical image, wherein the three-dimensional anatomical image is obtained through the use of the imaging source.

Allowance

3. Claims 1-2, 4, 7-8, 11 and 13-24 now renumbered claims 1-18 are allowed.
4. The following is an examiner's statement of reasons for allowance: None of the prior art of record teaches or fairly suggest "calculate a field distribution based on the best fit dipole coordinates; modify the best fit dipole coordinates to create modified dipole coordinates; calculate a modified field distribution based on the modified dipole coordinates; compute a difference between the field distribution and the modified field

distribution; and compute a confidence interval for each dipole coordinate based on the difference between the field distribution and the modified field distribution".

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Inquiries

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANDRAE S. ALLISON whose telephone number is (571)270-1052. The examiner can normally be reached on Monday-Friday, 8:00 am - 5:00 pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vu Le can be reached on (571) 272-7223. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Anand Bhatnagar/
Primary Examiner, Art Unit 2624
08/24/10

/A. S. A./
Examiner, Art Unit 2624